

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FRANK J. CAPOZZI,	:	Civil No. 3:23-cv-0520
	:	
Petitioner,	:	
	:	(Judge Sylvia H. Rambo)
v.	:	
WARDEN R. THOMPSON,	:	
	:	
Respondent.	:	

O R D E R

AND NOW, this 16th day of November, 2023, upon consideration of Chief Magistrate Judge Mehalchick's Report and Recommendation (Doc. 13) recommending that Petitioner's petition for a writ of habeas corpus be denied as moot because he is no longer in custody, and noting that Petitioner has not filed objections to the report and recommendation, and the court having satisfied itself that there is no clear error on the face of the record, Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error), **IT IS HEREBY ORDERED** as follows:

- 1) The report and recommendation (Doc. 13) is **ADOPTED**.
- 2) The Petition for Writ of Habeas Corpus (Doc. 1) is **DENIED AS MOOT** without prejudice.
- 3) The Clerk of Court is directed to close this case.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge